

Report to: Full Council

Date of Meeting: 10 February 2016

Report Title: Temporary Appointment of Independent Persons

Report By: Christine Barkshire-Jones
Chief Legal Officer and Monitoring Officer

Purpose of Report

To deal with a Standards Committee Complaint

Recommendation(s)

- 1. To appoint Sue Fellows and Jan Gray as temporary Independent Persons for the duration of the current complaint.**
- 2. To give the Monitoring Officer and Deputy Monitoring Officer delegation to appoint temporary Independent Persons when Hastings Borough Councils existing Independent Persons are both conflicted from the process.**

Reasons for Recommendations

The Monitoring Officer has received a complaint that needs to be dealt with by Standards Committee. The Localism Act 2011 (the Act) requires that the views of the Independent Person/s must be sought on a complaint referred for investigation before the outcome of the complaint is determined.

Both our Independent Persons have a conflict of interest and neither can be involved in the process,

Introduction

1. At Special Council on 5 June 2013 two Independent Persons were appointed to assist with the standards process for the period 1 July 2013 to 31 October 2016.
2. Two persons were appointed so that one could support the member who is the subject of the complaint. The other could give their view to the Standards Committee Members as required by the Act. It was hoped that by appointing two Independent Persons we could avoid any conflict of interest. This has not occurred in this case.
3. Failure to appoint two Independent Persons to assist the standards process until the determination of this complaint would mean that the Monitoring Officer could not deal with the complaint

Wards Affected

None

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	Yes
Organisational Consequences	Yes
Local People's Views	No
Anti-Poverty	No

Additional Information

Officer to Contact

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